(4—148.)

Final Receiver's Receipt No. 11 *Application No.* 2220

Supplemental Proof - Comm's Letter - "C" July 28 - 1887

TIMBER CULTURE.

(Acts of March 3, 1873, March 13, 1874, and June 14, 1878.)

Receiver's Office, Watertown So Dak.

May 26th, 1891.

Received of Philip Bishman the sum of no dollars no cents, being the balance of payment required by law for the timber-culture entry of the S W/4 of section 2 in township 111 of range 50, meridian, containing 160 $\frac{}{100}$ acres, under the acts of March 3, 1873, and March 13, 1874, and the act of June 14, 1878, amendatory thereof, entitled "An act to amend the act entitled 'An act to encourage the growth of timber on the western prairies.'"

R. E. Carpenter
Receiver.

$ —

3087 b—10 m

(4—217.)

TIMBER CULTURE.

(Acts of March 3, 1873, March 13, 1874, and June 14, 1878.)

Land Office at Watertown D.T.

May 26, 1881.

FINAL CERTIFICATE No. 11

APPLICATION No. 2220

It is hereby certified that, in pursuance of the provisions contained in the acts of Congress of March 3, 1873, and March 13, 1874, and the act amendatory thereof of June 14, 1878, entitled "An act to amend the act entitled 'An act to encourage the growth of timber on the western prairies,'" Philip Bisliman, of Wasca Minn has made payment in full for S.W.¼ (2-111-50)

of section No. 2, in township No. 111 of range No. 50, 5th meridian, containing 160 $\frac{00}{100}$ acres.

Now, therefore, be it known that, on presentation of *this certificate to the Commissioner of the General Land Office*, the said Philip Bisliman shall be entitled to a patent for the tract of land above described.

Clydell Evans

Register.

[9522—20 M.]

TIMBER CULTURE.

Final Certificate No. 11

Application No. 3330 W

LAND OFFICE AT

Watertown S.D.

May 26, 1891.

Sec. 2, Tp. 111, Range 50

Suspended

Aug. 7, 1891.

Grigsby.

Clerk.

To Bd. E.A.

21/157 Rule 33.

Proof after 13 yrs.

1st Proof rejected.

W.H.G.

Patented Nov 9, 1891.

Recorded, Vol. 8, page 19 Ex.

F.T.E (4—565.)

No. 11

L. O. Watertown

Name Philip Bishman

Tract SW¼ Sec. 2 Tp. 111 R 50

~~M~~ B

Cause of cancellation. Insufficient size of trees.

Referred to Division "B" ~~"A"~~

Aug. 18/87

~~July 30/87~~ D.R.

Canceled "C" July 28/87

and purchase-money refunded per Report

No. _____

NO PATENT TO ISSUE HEREON.

(1501—5,000.)

(4—217.)

TIMBER CULTURE.

(Acts of March 3, 1873, March 13, 1874, and June 14, 1878.)

Land Office at Watertown Dakota

April 19th, 1886.

FINAL CERTIFICATE No. 11.

APPLICATION No. 2220.

It is hereby certified that, in pursuance of the provisions contained in the acts of Congress of March 3, 1873, and March 13, 1874, and the act amendatory thereof of June 14, 1878, entitled "An act to amend the act entitled 'An act to encourage the growth of timber on the western prairies,'" Philip Bishman, of Brookings County has made payment in full for the South-west quarter of section No. 2, in township No. 111 North of range No. 50 West, 5th meridian, containing 160 $\frac{-}{100}$ acres.

Now, therefore, be it known that, on presentation of *this certificate to the Commissioner of the General Land Office*, the said Philip Bishman shall be entitled to a patent for the tract of land above described.

Canceled by Gilly 28/87 no patent to issue thereon. M. N. Sheafe

M N Sheafe

Register.

[9522—20 M.]

See Koopmd

TIMBER CULTURE.

R & R Nov 5/86 a.w.e

Final Certificate No. 11.

Application No. 2220

LAND OFFICE AT

Watertown D.T.

April 19th, 188 6.

Sec. 12, Tp. 111, Range 50

R & R July 28/87 m.a.w.

Approved ....., 188 .

Case closed by C
July 28/87 m.a.w.

Clerk.

Patented ....., 188 .

Recorded, Vol. ....., page .....

(4—148.)

Final Receiver's Receipt No. 11 *Application No.* 2220

TIMBER CULTURE.

(Acts of March 3, 1873, March 13, 1874, and June 14, 1878.)

Receiver's Office, WATERTOWN, DAK.

APR 19 1886, 188 .

Received of Philip Brahman the sum of Four dollars —— cents, being the balance of payment required by law for the timber-culture entry of the S½ NW¼ of section 2 in township 111 N of range 50 W 5th meridian, containing 160 —/100 acres, under the acts of March 3, 1873, and March 13, 1874, and the act of June 14, 1878, amendatory thereof, entitled "An act to amend the act entitled 'An act to encourage the growth of timber on the western prairies.'"

$ 4.00

D T Bramble
Receiver.

[9721—20 M.]

~~$666~~ $11 OK

(4—148.)

Final Receiver's Receipt No. 11 *Application No.* 2220

TIMBER CULTURE.

(Acts of March 3, 1873, March 13, 1874, and June 14, 1878.)

Receiver's Office, WATERTOWN, DAK.

APR 19 1886, 188 .

Received of Philip Bishman the sum of Four — dollars — cents, being the balance of payment required by law for the timber-culture entry of the SW 4 of section 2 in township 111 N of range 50 W, 5 meridian, containing 160 $\frac{—}{100}$ acres, under the acts of March 3, 1873, and March 13, 1874, and the act of June 14, 1878, amendatory thereof, entitled "An act to amend the act entitled 'An act to encourage the growth of timber on the western prairies.'"

$ 4.00 b. c

D T Brumble
Receiver.

[9521—20 M.]

Philipt Brahmen

11

REGISTER OF DEED'S OFFICE, } S. S.
BROOKINGS COUNTY, S. DAKOTA, }

I hereby certify the within instrument was filed for record this 25 day of May A. D., 1891 at 9 o'clock a M. and recorded in Vol. 14 of Deeds on Page 246

Peter McCabe Register of Deeds.

By _____ Deputy.

(4—093)

TIMBER-CULTURE ENTRY.

(Acts of March 3, 1873, March 13, 1874, and June 14, 1878.

FINAL AFFIDAVIT.

I, Philip Brahman, having, on the ____ day of Apr 1878, made a timber-culture entry, No. 2225, of the South West ¼ of Section 2, in Township 111 of Range 57, subject to entry at Sioux Falls, D.T., under the timber-culture laws of the United States, do hereby apply to perfect my claim thereto by virtue of the seventh section of the Act of June 14, 1878, *entitled* "An act to amend an act entitled 'An act to encourage the growth of timber on the western prairies,'" and for that purpose do solemnly swear that my aforesaid entry was made in good faith, and not for the purpose of speculation, or directly or indirectly for the use or benefit of any other person or persons whomsoever; that I have not heretofore made any other enty under the timber-culture laws of the United States; and I do further swear that the section of land specified in my aforesaid entry is composed exclusively of prairie lands or other lands devoid of timber, and that said entry was made for the cultivation of timber, and that I have planted on said land, cultivated, protected and kept in a healthy growing condition for and during the period of eight (8) years last past 10 53/160 acres of Willow Cottonwood Ash Box Elder Walnut (here describe the kinds) timber; that not less than 2700 trees were planted on each acre, and that there are now at least 1200 (here state the number) living and thrifty trees to and upon each acre, aggregating in total the number of 12800 trees.

Philip Brahman
(Signature of Claimant.)

Sworn to and subscribed before me this 25 day of May, 1891.

John A. Storla
CLERK OF COUNTY COURT,
BROOKINGS COUNTY, S. D.

SEAL OF COUNTY COURT BROOKINGS COUNTY

TIMBER CULTURE

FINAL AFFIDAVIT.

Application No. 2220

Final Certificate No. 11

Land Office at Watertown D.

May 26 1891

[4—062].

NON-MINERAL AFFIDAVIT.

This affidavit can be sworn to only on personal knowledge, and cannot be made on information and belief.

The non-mineral affidavit accompanying an entry of public land must be made by the party making the entry, and only before the officer taking the other affidavits required of the entryman.

UNITED STATES LAND OFFICE,

Brookings

May 25, 1891

Philip J. Brahman, being duly sworn according to law, deposes and says that he is the identical Philip Brahman who is an applicant for Government title to the S.W. ¼ sect 2 town 111 rge 51 W

that he is well acquainted with the character of said described land, and with each and every legal subdivision thereof, having frequently passed over the same; that his personal knowledge of said land is such as to enable him to testify understandingly with regard thereto; that there is not, to his knowledge, within the limits thereof, any vein or lode of quartz or other rock in place, bearing gold, silver, cinnabar, lead, tin, or copper, or any deposit of coal; that there is not within the limits of said land, to his knowledge, any placer, cement, gravel, or other valuable mineral deposit; that no portion of said land is claimed for mining purposes under the local customs or rules of miners or otherwise; that no portion of said land is worked for mineral during any part of the year by any person or persons; that said land is essentially non-mineral land, and that his application therefor is not made for the purpose of fraudulently obtaining title to mineral land, but with the object of securing said land for agricultural purposes, and that his post-office address is

Warren Waarren Co Minn.

Philip Brahman

I HEREBY CERTIFY that the foregoing affidavit was read to affiant in my presence before he signed his name thereto; that said affiant is to me personally known (or has been satisfactorily identified before me by _____), and that I verily believe him to be a credible person and the person he represents himself to be, and that this affidavit was subscribed and sworn to before me at my office in Brookings within the Watertown land district, on this 25th day of May, 18 91.

J. Lambertson

CLERK OF COUNTY COURT,
BROOKINGS COUNTY, S. D.

NOTE.—The officer before whom the deposition is taken should call the attention of the witness to the following section of the Revised Statutes, and state to him that it is the purpose of the Government, if it be ascertained that he testifies falsely, to prosecute him to the full extent of the law:

REVISED STATUTES OF THE UNITED STATES. TITLE LXX.—CRIMES.—CHAP. 4.

SEC. 5392. Every person who, having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed is true, willfully and contrary to such oath states or subscribes any material matter which he does not believe to be true, is guilty of perjury, and shall be punished by a fine of not more than two thousand dollars, and by imprisonment, at hard labor, not more than five years, and shall, moreover, thereafter be incapable of giving testimony in any court of the United States until such time as the judgment against him is reversed. (See § 1750).

For Sale by HENRY N. COPP, Washington, D. C

THE TESTIMONY OF TWO WITNESSES, IN THIS FORM, TAKEN SEPARATELY, REQUIRED IN EACH CASE.

TIMBER CULTURE PROOF.

TESTIMONY OF WITNESS.

(ACTS OF MARCH 3, 1873, MARCH 13, 1874, AND JUNE 14, 1878.)

Robert A Kerr, being called as a witness in support of the timber culture entry of Philip Brahman, No. 2220, for the SW. ¼ of section 2, township 111, of range 50. meridian, in the district of lands subject to entry at Sioux Falls D.T. testifies as follows:

Ques. 1. What is your name, age, occupation, and residence?

Ans. Robert A Kerr 33 Farmer Bonus S.D.

Ques. 2. Are you well acquainted with Philip Brahman the claimant; and if so, since what time have you known him?

Ans. I am since 1865

Ques. 3. If you have personal knowledge regarding claimant's timber culture entry, give the date when said entry was made, describe the tract or tracts, and state the number of acres embraced therein?

Ans. Apr 1878 Land prairie 160 acres.

Ques. 4. How far do you reside from the land described, and have you had continuous personal knowledge of said land and the improvements thereon during the last eight (8) years?

Ans. 2½ mi. I have.

Ques. 5. Was the section embracing the entry of the claimant composed of prairie lands or other lands devoid of timber? Describe the land embraced in said section, whether undulating or otherwise; and if any natural timber was growing on the tract named at the date of entry, state the kind or kinds of trees so growing, and their number, situation and size?

Ans. Land prairie devoid of timber.

Ques. 6. How many acres of the land embraced in claimant's entry were broken by him during the first year, how many during the second year, how many during the third year, respectively, after the date of entry? Give the day, month, and year, in each instance, as near as practicable, when the several breakings were done; describe the method of breaking, and in what way your measurements were made, or how you know the area or number of acres broken?

Ans. 1st year 10 acres in May 1878
2d " 3 " " " 1880.
Broke with Oxen + plow
I did not measure the land at the time.

Ques. 7. *Describe the way in which the ground was prepared, and state how many acres of said tract were planted to trees during the Second year of said entry, giving the day, month, and year, as near as practicable, when the planting was done, the kind or kinds of trees planted; and state how you know the area or number of acres so prepared and planted during said second year?*

Ans. During the second year the land was sowen to oats.

Ques. 8. *Describe the way in which the ground was prepared, and state how many acres of said tract were planted to trees during the Third year of said entry, giving the day, month, and year, as near as practicable, when the planting was done, the kind or kinds of trees planted; and state how you know the area or number of acres so prepared and planted during said third year?*

Ans. Ground was plowed dragged and marked four feet each way and 4 15/16 acres was planted to Willow & Cottonwood cuttings in May 1880 I have measured the land.

Ques. 9. *Describe the way in which the ground was prepared, and state how many acres of said tract were planted to trees during the Fourth year of said entry, giving the day, month, and year, as near as practicable, when the planting was done, the kind or kinds of trees planted; and state how you know the area or number of acres so prepared and planted during said fourth year?*

Ans. Ground was prepared as before and 2 113/160 acres was planted to Ash & Boxelder seeds in May 1881. I have measured the ground

Ques. 10. *Has the claimant ever had the trees, seeds or cuttings on the tract embraced in his timber culture entry destroyed by grasshoppers or by extreme and unusual drouth? If so, state the year or years in which the destruction took place, and give all the facts within your personal knowledge.*

Ans.

Ques. 11. *How many acres of timber on the tract described has the claimant planted, cultivated, protected, and kept in a healthy growing condition for the period of eight (8) years, last preceding, and from what source is your knowledge upon this point obtained?*

Ans. 10 53/160 I live near and have seen the claim often & can see the trees from my door.

Ques. 12. Describe the condition of the trees now growing on said tract, giving their average diameter and height, as near as you can, the kind or kinds of trees, the number of trees per acre now growing thereon, and state how you know the facts to which you testify.

Ans. Is in good healthy growing condition 4 in in diameter 12 ft in height Cottonwood Willow Boxalder Blackwalnut & Butternut. 1200 trees on each acre. & have counted the trees and measured the land.

Ques. 13. Has the claimant, to your knowledge, ever made any other timber culture entry?

Ans. Not to my knowledge

Ques. 14. Have you any interest, direct or indirect, in this claim?

Ans. No

Ques. 15. State any further facts which you may know of your own personal knowledge regarding the aforesaid timber culture entry.

Ans. He has 45 acres broken inside the trees one in each and a well on the claim.

Robert A. Kerr
SIGNATURE OF WITNESS.

I hereby certify that the above-named Robert A Kerr, personally appeared before me, and that he is a credible witness; that the foregoing testimony was read to him before being subscribed, and was sworn to by him before me this 25th day of May 1891

John A Hollar.
CLERK OF COUNTY COURT.
BROOKINGS COUNTY, S. D.

NOTE.—The officer before whom the testimony is taken should call the attention of the witness to the following act of Congress, which is made by statute specifically applicable to all oaths, affirmations, and affidavits required or authorized under the timber-culture acts:

ACT OF MARCH 3, 1857, (11 Statutes, p. 250.)

"SEC. 5. AND BE IT FURTHER ENACTED, That in all cases where any oath, affirmation, or affidavit shall be made or taken before any register or receiver, or either or both of them, of any local land office in the United States or any Territory thereof, or where any oath, affirmation, or affidavit shall be made or taken before any person authorized by the laws of any State or Territory of the United States to administer oaths or affirmations, or take affidavits, and such oaths, affirmations or affidavits are made, used, or filed in any of said local land offices, or in the General Land Office, as well in cases arising under any or either of the orders, regulations, or instructions concerning any of the public lands of the United States, issued by the Commissioner of the General Land Office or other proper officer of the government of the United States, as under the laws of the United States, in anywise relating to or affecting any right, claim, or title, or any contest therefor, to any of the public lands of the United States, and if any person or persons shall, taking such oath, affirmation, or affidavit, knowingly, wilfully, or corruptly swear or affirm falsely, the same shall be deemed and taken to be perjury, and the person or persons guilty thereof shall, upon conviction, be liable to the punishment prescribed for that offense by the laws of the United States." (See also Section 5392, United States Revised Statutes.)

TIMBER CULTURE PROOF.

TESTIMONY OF WITNESS.

LAND OFFICE AT

Watertown S.D.

Original Application No. 2220

Final Certificate No. 11

Approved

C. G. Wellman

R. E. Carpenter
Receiver

THE TESTIMONY OF TWO WITNESSES, IN THIS FORM, TAKEN SEPARATELY, REQUIRED IN EACH CASE.

TIMBER CULTURE PROOF.

TESTIMONY OF WITNESS.

(ACTS OF MARCH 3, 1873, MARCH 13, 1874, AND JUNE 14, 1878.)

John A Krassin, being called as a witness in support of the timber culture entry of Philip Bishman, No. 2220, for the S W 1/4 of section 2, township 111, of range 50 meridian, in the district of lands subject to entry at Sioux Falls testifies as follows:

Ques. 1. What is your name, age, occupation, and residence?

Ans. John A Krassin 33 Waseca Minn

Ques. 2. Are you well acquainted with Philip Bishman the claimant; and if so, since what time have you known him?

Ans. I am I have known him as long as I can remember

Ques. 3. If you have personal knowledge regarding claimant's timber culture entry, give the date when said entry was made, describe the tract or tracts, and state the number of acres embraced therein?

Ans. 1878 Level prairie. 660 acres.

Ques. 4. How far do you reside from the land described, and have you had continuous personal knowledge of said land and the improvements thereon during the last eight (8) years?

Ans. I own a claim 1½ mile from his and have helped him set + cultivate his tree nearly every spring since he has made claim

Ques. 5. Was the section embracing the entry of the claimant composed of prairie lands or other lands devoid of timber? Describe the land embraced in said section, whether undulating or otherwise; and if any natural timber was growing on the tract named at the date of entry, state the kind or kinds of trees so growing, and their number, situation and size?

Ans. Undulating prairie devoid of timber

Ques. 6. How many acres of the land embraced in claimant's entry were broken by him during the first year, how many during the second year, how many during the third year, respectively, after the date of entry? Give the day, month, and year, in each instance, as near as practicable, when the several breakings were done; describe the method of breaking, and in what way your measurements were made, or how you know the area or number of acres broken?

Ans. 1st year 10 acres in May. 1878
3d " 3 " " " 1880.
I have measured the land.

Ques. 7. *Describe the way in which the ground was prepared, and state how many acres of said tract were planted to trees during the Second year of said entry, giving the day, month, and year, as near as practicable, when the planting was done, the kind or kinds of trees planted; and state how you know the area or number of acres so prepared and planted during said second year?*

Ans. During the second year the land was cropped to oats

Ques. 8. *Describe the way in which the ground was prepared, and state how many acres of said tract were planted to trees during the Third year of said entry, giving the day, month, and year, as near as practicable, when the planting was done, the kind or kinds of trees planted; and state how you know the area or number of acres so prepared and planted during said third year?*

Ans. Ground was plowed dragged and marked four feet each way and 7 6/10 acres was planted to Willow Cottonwood cuttings in May 1880 I have measured the land.

Ques. 9. *Describe the way in which the ground was prepared, and state how many acres of said tract were planted to trees during the Fourth year of said entry, giving the day, month, and year, as near as practicable, when the planting was done, the kind or kinds of trees planted; and state how you know the area or number of acres so prepared and planted during said fourth year?*

Ans. Ground was prepared as before and 2 113/160 acres was planted to Ash & Box elder cuttings in May 1881. I have measured the ground

Ques. 10. *Has the claimant ever had the trees, seeds or cuttings on the tract embraced in his timber culture entry destroyed by grasshoppers or by extreme and unusual drouth? If so, state the year or years in which the destruction took place, and give all the facts within your personal knowledge.*

Ans. Not to my knowledge

Ques. 11. *How many acres of timber on the tract described has the claimant planted, cultivated, protected, and kept in a healthy growing condition for the period of eight (8) years, last preceding, and from what source is your knowledge upon this point obtained?*

Ans. 10 4-3/160 acres I have helped plant the trees and have been on the claim every spring since it was taken

Ques. 12. Describe the condition of the trees now growing on said tract, giving their average diameter and height, as near as you can, the kind or kinds of trees, the number of trees per acre now growing thereon, and state how you know the facts to which you testify.

Ans. Good healthy growing condition 4 in in diameter 12 ft in height Cottonwood Willow Boxalder Blackwalnut. 1200 trees on each acre I have measured the land and counted the trees

Ques. 13. Has the claimant, to your knowledge, ever made any other timber culture entry?

Ans. Not to my knowledge

Ques. 14. Have you any interest, direct or indirect, in this claim?

Ans. No.

Ques. 15. State any further facts which you may know of your own personal knowledge regarding the aforesaid timber culture entry.

Ans. He has 45 acres broken beside the trees.

John A. Krassin
SIGNATURE OF WITNESS.

I hereby certify that the above-named John A Krassin *, personally appeared before me, and that he is a credible witness; that the foregoing testimony was read to him before being subscribed, and was sworn to by him before me this* 25 *day of* May *18*91

John A Hooker
CLERK OF COUNTY COURT
BROOKINGS COUNTY, S. D.

NOTE.—The officer before whom the testimony is taken should call the attention of the witness to the following act of Congress, which is made by statute specifically applicable to all oaths, affirmations, and affidavits required or authorized under the timber-culture acts:

ACT OF MARCH 3, 1857, (11 Statutes, p. 250.)

"SEC. 5. AND BE IT FURTHER ENACTED, That in all cases where any oath, affirmation, or affidavit shall be made or taken before any register or receiver, or either or both of them, of any local land office in the United States or any Territory thereof, or where any oath, affirmation, or affidavit shall be made or taken before any person authorized by the laws of any State or Territory of the United States to administer oaths or affirmations, or take affidavits, and such oaths, affirmations or affidavits are made, used, or filed in any of said local land offices, or in the General Land Office, as well in cases arising under any or either of the orders, regulations, or instructions concerning any of the public lands of the United States, issued by the Commissioner of the General Land Office or other proper officer of the government of the United States, as under the laws of the United States, in anywise relating to or affecting any right, claim, or title, or any contest therefor, to any of the public lands of the United States, and if any person or persons shall, taking such oath, affirmation, or affidavit, knowingly, wilfully, or corruptly swear or affirm falsely, the same shall be deemed and taken to be perjury, and the person or persons guilty thereof shall, upon conviction, be liable to the punishment prescribed for that offense by the laws of the United States." (See also Section 5392, United States Revised Statutes.)

TIMBER CULTURE PROOF.

TESTIMONY OF WITNESS.

LAND OFFICE AT

Watertown D.T.

Original Application No. 2220

Final Certificate No. 11

R. E. Carpenter

Receiver

TIMBER-CULTURE PROOF.

TESTIMONY OF CLAIMANT.

(ACTS OF MARCH 3, 1873, MARCH 13, 1874, AND JUNE 14, 1878.)

Philip Bishman, being called as a witness in his own behalf, in support of his timber-culture entry No. 2220, for S.W. 1/4 section 2, township 111, of range 50, meridian, in the district of lands subject to entry at Sioux Falls testifies as follows:

Ques. 1. What is your name, (written in full and correctly spelled,) your age, and post-office address?

Ans. Philip Bishman 32, Waseca Waseca Co Minn. And a native born citizen of the U.S.

Ques. 2. Describe your timber-culture entry, giving the date thereof and the number of acres embraced therein.

Ans. Level prairie April 1878. 160 acres.

Ques. 3. What number of acres of said land was broken by you during the first year, what number broken during the second year, and what number broken during the third year, respectively, after the date of your entry? Give the day, month, and year, as nearly as practicable, in each instance, when the several breakings were done; describe the method of breaking, and in what way your measurements were made.

Ans. 1st year 10 acres in May 1878
2 " 3 " " May 1880.
Broken with horses & plow. I have measured the land at the time by passing since with measured rope

Ques. 4. Describe the way in which the ground was prepared, and state how many acres of said tract were planted to trees during the Second year of your entry, giving the day, month, and year, as nearly as practicable, when the planting was done, the kind or kinds of trees planted; and state how you know the area or number of acres so planted during said second year?

Ans. During the second year there was a crop of oats raised on the first 10 acres broken.

Ques. 5. *Describe the way in which the ground was prepared, and state how many acres of said tract were planted to trees during the Third year of your entry, giving the day, month, and year, as nearly as practicable, when the planting was done, the kind or kinds of trees planted; and state how you know the area or number of acres so planted during said third year?*

Ans. Ground was plowed and dragged and marked four feet each way and 7/16 acres of Walnut & Butternut Cuttings were planted in may 1880. I have measured the land

Ques. 6. *Describe the way in which the ground was prepared, and state how many acres of said tract were planted to trees during the Fourth year of your entry, giving the day, month, and year, as nearly as practicable, when the planting was done, the kind or kinds of trees planted; and state how you know the area or number of acres so planted during said fourth year?*

Ans. Ground was prepared as before and 2 13/160 acres was planted to Ash & Boxalder seeds in May 1881. I have measured the land.

Ques. 7. *If you have received an extension of time for planting on account of the destruction of your trees, seeds, or cuttings, by grasshoppers, or by extreme and unusual drouth, state the year or years in which extension was had, and give all the particulars. How did you proceed to obtain such extension?*

Ans. I made a Proof about four years ago and the Land Office notified me that my proof was cancelled and my time was extended three years

Ques. 8. *How many acres of timber have you planted, cultivated, protected, and kept in a healthy growing condition for the period of eight (8) years, last preceding, on the tract embraced in your entry?*

Ans. 10 5-3/160 acres

Ques. 9. *Describe the condition of the trees now growing on said tract, giving their average diameter and height, as near as you can, the kind or kinds of trees, the number of trees per acre now growing thereon, and state how you know the facts to which you testify.*

Ans. Good healthy growing condition 4 in. in diameter 12 ft in height. Cottonwood (Written) Boxalder Ash Black walnuts & Butternuts I have counted the Trees and measured the land 120 Trees in each acre.

Ques. 10. Have you ever heretofore made any other timber-culture entry? If so, describe such entry or entries and state all the particulars.

Ans. No

Ques. 11. Is the section specified in your entry composed of prairie land, or was it devoid of timber at the date of your entry?

Ans. Fuel prairie devoid of timber

Ques. 12. State anything further within your personal knowledge which you have to offer regarding your aforesaid entry.

Ans. I have about 45 acres broken and in crop beside the trees and a well on the claim.

Philip Birkman
SIGNATURE OF CLAIMANT.

I hereby certify that each question and answer in the foregoing testimony was read to the claimant before he *signed* his *name thereto, and that the same was subscribed and sworn to before me this* 25th *day of* May *18*91

John H. Hooker
CLERK OF COUNTY COURT,
BROOKINGS COUNTY, S. D.

NOTE.—The officer before whom the testimony is taken should call the attention of the witness to the following act of Congress, which is made by statute specifically applicable to all oaths, affirmations, and affidavits required or authorized under the timber-culture acts:

ACT OF MARCH 3, 1857, (11 Statutes, p. 250.)

"SEC. 5. AND BE IT FURTHER ENACTED, That in all cases where any oath, affirmation, or affidavit shall be made or taken before any register or receiver, or either or both of them, of any local land office in the United States or any Territory thereof, or where any oath, affirmation, or affidavit shall be made or taken before any person authorized by the laws of any State or Territory of the United States to administer oaths or affirmations, or take affidavits, and such oaths, affirmations or affidavits are made, used, or filed in any of said local land offices, or in the General Land Office, as well in cases arising under any or either of the orders, regulations, or instructions concerning any of the public lands of the United States, issued by the Commissioner of the General Land Office or other proper officer of the government of the United States, as under the laws of the United States, in anywise relating to or affecting any right, claim, or title, or any contest therefor, to any of the public lands of the United States, and if any person or persons shall, taking such oath, affirmation, or affidavit, knowingly, wilfully, or corruptly swear or affirm falsely, the same shall be deemed and taken to be perjury, and the person or persons guilty thereof shall, upon conviction, be liable to the punishment prescribed for that offense by the laws of the United States." (See also Section 5392, United States Revised Statutes.)

91 - 5 - 25
78 - 4 - 18
13 - 1 - 7

TIMBER CULTURE PROOF.

TESTIMONY OF CLAIMANT.

LAND OFFICE AT

Watertown T.D.

Original Application No. 2220

Final Certificate No. 11

Approved

C G Wellman

Reg

R E Carpenter

Receiver

RECEIVER'S RECEIPT, No. 2220 APPLICATION No. 2220.

TIMBER-CULTURE.

Receiver's Office, Sioux Falls D.T.
April 18, 1878.

RECEIVED of Philip Bushman the sum of Fourteen dollars cents; being the amount of fee and compensation of Register and Receiver for the entry of South West Quarter. of Section Two in Township One Hundred & Eleven of Range Fifty, under the first section of the act of Congress approved March 13, 1874, entitled "An Act to encourage the growth of timber on western prairies."

Jno. Washburn.
Receiver.

$ 14 00

TIMBER-CULTURE ACT OF MARCH 13, 1874:

[AFFIDAVIT.]

Land Office at Sioux Falls, D. T.,

April 15th, 1878.

I, Philip Bishman, having filed my application, No. 2220 for an entry under the provisions of the first section of the act of Congress approved March 13, 1874, entitled "An Act to amend an act entitled 'An Act to encourage the growth of timber on western prairies,'" do solemnly Swear that I am the head of a family, ~~[or over 21 years of age,]~~ and a citizen of the United States, ~~[or have declared my intention to become such;]~~ that the section of land specified in my said application is composed exclusively of prairie lands naturally devoid of timber; that this entry is made for the cultivation of timber, and that I have not heretofore made an entry under this act, or the act of March 3, 1873, of which this is amendatory.

Philip Bishman

Sworn to and subscribed this 15th day of April, 1878, before me.

A H Wheeler Notary Public
Co & for Moody Co D.T.

Register (or Receiver) of the Land Office.

A. H. Wheeler
Real Estate Agent
Notary Public
Dakota Territory

TIMBER-CULTURE ACT OF MARCH 13, 1874:

APPLICATION }

No. 2220 }

I, Philip Birkmeier, hereby apply to enter, under the provisions of the first section of the act of March 13, 1874, entitled "An Act to amend an act entitled 'An Act to encourage the growth of timber on western prairies.'" the South West quarter of Section 2, in Township 111, of Range 56, containing 165 acres.

Philip Birkmeier

Land Office at Sioux Falls, D. T.,

April 18th, 1878.

I, B. F. Campbell, REGISTER OF THE LAND OFFICE, do hereby certify that the above application is for the class of Lands which the applicant is legally entitled to enter under the provisions of the first section of the timber culture act of March 13, 1874; that there is no prior valid adverse right to the same, and that the land therein described, together with the lands heretofore entered, under this act and the act of March 3, 1873, of which this is amendatory in the said section, does not exceed one quarter thereof.

B. F. Campbell

Register.

No. 2220.

TIMBER-CULTURE APPLICATION.

Philip Bishman.

Sioux Falls D. T.

April 18, 1878.

Sec. 2, Town. 111 Range 50

R & R Nov 5/86 C.W.C.

R & R July 28/87 mam

21/107

(4—093.)

TIMBER-CULTURE ENTRY.

(Acts of March 3, 1873, March 13, 1874, and June 14, 1878.)

FINAL AFFIDAVIT.

I, Philip Birkman, having, on the 18th day of April, 1878, made a timber-culture entry, No. 2220, of the South West Quarter of section 2, in township 111 of range 50, subject to entry at Sioux Falls Dak, under the timber-culture laws of the United States, do hereby apply to perfect my claim thereto by virtue of the seventh section of the Act of June 14, 1878, entitled "An act to amend an act entitled 'An act to encourage the growth of timber on the western prairies,'" and for that purpose do solemnly swear that my aforesaid entry was made in good faith, and not for the purpose of speculation, or directly or indirectly for the use or benefit of any other person or persons whomsoever; that I have not heretofore made any other entry under the timber-culture laws of the United States; and I do further swear that the section of land specified in my aforesaid entry is composed exclusively of prairie lands or other lands devoid of timber, and that said entry was made for the cultivation of timber, and that I have planted on said land, cultivated, protected, and kept in a healthy growing condition for and during the period of eight (8) years last past Ten and one half (10½) acres of Cottonwood Box Elders, Ash Sold Maple and willow trees (here describe the kinds) timber; that not less than 2850 trees were planted on each acre, and that there are now at least 1898 (*here state* the number) living and thrifty trees to and upon each acre, aggregating in total the number of 9431 trees.

Philip Birkman
(Signature of claimant.)

SWORN to and subscribed before me this 17 day of April, 1886.

[illegible]
Judge [illegible] Clerk
Probate Court
Brookings Co Dak

ELECTRO'S.

TIMBER CULTURE.

FINAL AFFIDAVIT.

Application No. 2220

Final Certificate No. 11

Land Office at Watertown D T

Apr 19, 1886.

(9520—20 M.)

T.C. #11.
Apr 19, 1882

Receiver's Receipt No. 2220. Application No. 2220.

TIMBER-CULTURE.

Receiver's Office, Sioux Falls D.T.
April 18 1878

Received of Philip Bishman the sum of Fourteen dollars —— cents; being the amount of fee and compensation of Register and Receiver for the entry of

S ½ W ¼

of Section 2

in Township 111 of Range 50

under the first section of the act of Congress approved March 13, 1874, entitled "An Act to encourage the growth of timber on western prairies."

J. W. Washburn
Receiver.

$14.00

4th

4—386.)

The testimony of two witnesses, in this form, taken separately, required in each case.

TIMBER CULTURE PROOF.

TESTIMONY OF WITNESS.

(Acts of March 3, 1873, March 13, 1874, and June 14, 1878.)

Peder Larson, being called as a witness in support of the timber culture entry of Philip Bishman, No. 2220, for the S W 1/4 of section 2, township 111 of range 50 W 5 P, meridian, in the district of lands subject to entry at Sioux Falls Dak testifies as follows:

Ques. 1. What is your name, age, occupation, and residence?

Ans. Peder Larson my age is 45 years, occupation farmer Bruce P O

Ques. 2. Are you well acquainted with Philip Bishman, the claimant; and if so, since what time have you known him?

Ans. I have known claimant 8 years

Ques. 3. If you have personal knowledge regarding claimant's timber culture entry, give the date when said entry was made, describe the tract or tracts, and state the number of acres embraced therein?

Ans. Date of Entry April 18 1878 being the S W 4 Sec 2 Twp 111 Range 50 Containing 160 acres

Ques. 4. How far do you reside from the land described, and have you had continuous personal knowledge of said land and the improvements thereon during the last eight (8) years?

Ans. I have resided 50 rods this tract for 8 years last past

Ques. 5. Was the section embracing the entry of the claimant composed of prairie lands or other lands devoid of timber? Describe the land embraced in said section, whether undulating or otherwise; and if any natural timber was growing on the tract named at the date of entry, state the kind or kinds of trees so growing, and their number, situation, and size.

Ans. This section was wholly composed of Prairie Land Land rather level There was no natural timber on this land when Claimant filed on said tract

Ques. 6. How many acres of the land embraced in claimant's entry were broken by him during the first year, how many during the second year, how many during the third year, respectively, after the date of entry? Give the day, month, and year, in each instance, as near as practicable, when the several breakings were done; describe the method of breaking, and in what way your measurements were made, or how you know the area or number of acres broken.

Ans. Claimant broke Eight acres during the month of May 1878 Broke 4 acres during the first part of July 1879 Claimant Did not break any during the Third year I know the area by actual measurement with a rod pole

Ques. 7. Describe the way in which the ground was prepared, and state how many acres of said tract were planted to trees during the *second* year of said entry, giving the day, month, and year, as near as practicable, when the planting was done, the kind or kinds of trees planted; and state how you know the area or number of acres so prepared and planted during said second year.

Ans. The ground was prepared by harrowing it thoroughly and then seeded same to oats did not plant any trees during 2 year Claimant prepared Eight acres first breaking in the above described manner During year of 1879

Ques. 8. Describe the way in which the ground was prepared, and state how many acres of said tract were planted to trees during the *third* year of said entry, giving the day, month, and year, as near as practicable, when the planting was done, the kind or kinds of trees planted; and state how you know the area or number of acres so prepared and planted during said third year.

Ans. Claimant prepared ground by harrowing the same thoroughly before planting trees Planted Eight acres to Cotton wood and willow cutting during the month of April 1880 I know the area by actual measurement with a rod & tape

Ques. 9. Describe the way in which the ground was prepared, and state how many acres of said tract were planted to trees during the *fourth* year of said entry, giving the day, month, and year, as near as practicable, when the planting was done, the kind or kinds of trees planted; and state how you know the area or number of acres so prepared and planted during said fourth year.

Ans. A Crop having been raised on the second four acres in 1880 The ground was plowed back and harrowed thoroughly Claimant planted 4 acres to ash Box Elders and soft maple on or about May 1st 1881, I know the area by actual measurement & count

Ques. 10. Has the claimant ever had the trees, seeds, or cuttings on the tract embraced in his timber culture entry destroyed by grasshoppers or by extreme and unusual drouth? If so, state the year or years in which the destruction took place, and give all the facts within your personal knowledge.

Ans. No

Ques. 11. How many acres of timber on the tract described has the claimant planted, cultivated, protected, and kept in a healthy growing condition for the period of eight (8) years, last preceding, and from what source is your knowledge upon this point obtained?

Ans. Claimant has planted cultivated and protected and kept in a healthy growing condition for 10 1/2 acres of trees, I know these facts from actual measurement & count

Ques. 12. Describe the condition of the trees now growing on said tract, give their average diameter and height, as nearly as you can, the kind or kinds of trees, the number of trees to the acre, and state how you know the facts to which you testify.

Ans. The trees are in a good healthy condition The average height being 6 feet & 2nd average diameter is 1½ inches The trees are Cotton wood Box elders Willows ash and soft maple There are 898 trees growing on each and every acre I know these facts from actual measurment & count

Ques. 13. Has the claimant, to your knowledge, ever made any other timber culture entry?

Ans. No

Ques. 14. Have you any interest direct or indirect in this claim?

Ans. No

Ques. 15. State any further facts which you may know of your own personal knowledge regarding the aforesaid timber culture entry.

Ans. The trees on this tree claim is in good condition owing to good cultivation

Peter Larsen
(*Signature of Witness.*)

I hereby certify that the above-named Peder Larsen, personally appeared before me, and that he is a credible witness; that the foregoing testimony was read to him before being subscribed and was sworn to by him before me this 17 day of April, 188 6

D. M. Lewis
Judge Dawes Co. Dak Ter
Deadwood Co Dak

NOTE.—The officer before whom the testimony is taken should call the attention of the witness to the following act of Congress, which is made by statute specifically applicable to all oaths, affirmations, and affidavits required or authorized under the timber-culture acts:

ACT OF MARCH 3, 1857, (11 Statutes, p. 250.)

"SEC. 5. *And be it further enacted*, That in all cases where any oath, affirmation, or affidavit shall be made or taken before any register or receiver, or either or both of them, of any local land office in the United States or any Territory thereof, or where any oath, affirmation, or affidavit shall be made or taken before any person authorized by the laws of any State or Territory of the United States to administer oaths or affirmations, or take affidavits, and such oaths, affirmations or affidavits are made, used, or filed in any of said local land offices, or in the General Land Office, as well in cases arising under any or either of the orders, regulations, or instructions concerning any of the public lands of the United States, issued by the Commissioner of the General Land Office or other proper officer of the government of the United States, as under the laws of the United States, in anywise relating to or affecting any right, claim, or title, or any contest therefor, to any of the public lands of the United States, and if any person or persons shall, taking such oath, affirmation, or affidavit, knowingly, willfully, or corruptly swear or affirm falsely, the same shall be deemed and taken to be perjury, and the person or persons guilty thereof shall, upon conviction, be liable to the punishment prescribed for that offense by the laws of the United States." (*See also Section* 5392, *U. S. Revised Statutes.*)

TIMBER CULTURE PROOF.

TESTIMONY OF WITNESS.

Land Office at

Watertown D T

Original application No. 2220

Final certificate No. 11

[9524—20 M.]

Approved

M M Sheafe Register

D T Bannister Receiver

4—386.)

The testimony of two witnesses, in this form, taken separately, required in each case.

TIMBER CULTURE PROOF.

TESTIMONY OF WITNESS.

(Acts of March 3, 1873, March 13, 1874, and June 14, 1878.)

Albert Bohl, being called as a witness in support of the timber culture entry of Philip Beshman, No. 2220, for the SW¼ of section 2, township 111, of range 50 W 5 P meridian, in the district of lands subject to entry at Grand Forks Dak testifies as follows:

Ques. 1. What is your name, age, occupation, and residence?

Ans. Albert Bohl my age is 25 years a farmer ~~Bachelor~~ Bruce Dak

Ques. 2. Are you well acquainted with Philip Beshman, the claimant; and if so, since what time have you known him?

Ans. I have known claimant 7 years last

Ques. 3. If you have personal knowledge regarding claimant's timber culture entry, give the date when said entry was made, describe the tract or tracts, and state the number of acres embraced therein?

Ans. Date of entry Apr 18 1878 Being the SW¼ Sec 2 Twp 111 Range 50 Containing 160 acres

Ques. 4. How far do you reside from the land described, and have you had continuous personal knowledge of said land and the improvements thereon during the last eight (8) years?

Ans. I have resided 2 miles from said tract for 7 years last past

Ques. 5. Was the section embracing the entry of the claimant composed of prairie lands or other lands devoid of timber? Describe the land embraced in said section, whether undulating or otherwise; and if any natural timber was growing on the tract named at the date of entry, state the kind or kinds of trees so growing, and their number, situation, and size.

Ans. Section was wholly composed of prairie land the land embraced in claimants entry is rather flat There were no natural timber on this land when Claimant filed on said tract

Ques. 6. How many acres of the land embraced in claimant's entry were broken by him during the first year, how many during the second year, how many during the third year, respectively, after the date of entry? Give the day, month, and year, in each instance, as near as practicable, when the several breakings were done; describe the method of breaking, and in what way your measurements were made, or how you know the area or number of acres broken.

Ans. Claimant broke Eight acres during the month of May 1878 Broke 4 acres during the first part of July 1879 Claimant did not break any during the 3rd year I know the area by actual measurement with a rod pole

Ques. 7. Describe the way in which the ground was prepared, and state how many acres of said tract were planted to trees during the *second* year of said entry, giving the day, month, and year, as near as practicable, when the planting was done, the kind or kinds of trees planted; and state how you know the area or number of acres so prepared and planted during said second year.

Ans. The ground was prepared by harrowing it thoroughly and then seeded same to oats Did not plant any trees during 2 year, Claimant prepared Eight acres (first breaking) as above described in the year of 1879

Ques. 8. Describe the way in which the ground was prepared, and state how many acres of said tract were planted to trees during the *third* year of said entry, giving the day, month, and year, as near as practicable, when the planting was done, the kind or kinds of trees planted; and state how you know the area or number of acres so prepared and planted during said third year.

Ans. Claimant prepared ground by harrowing the same thoroughly before planting trees Planted Eight acres to Cotton wood & Willow Cuttings during the month of April 1880 I know the area by actual measurement with a rod & pole

Ques. 9. Describe the way in which the ground was prepared, and state how many acres of said tract were planted to trees during the *fourth* year of said entry, giving the day, month, and year, as near as practicable, when the planting was done, the kind or kinds of trees planted; and state how you know the area or number of acres so prepared and planted during said fourth year.

Ans. A Crop having been raised on the second four acres in 1880 the ground was plowed back & harrowed thoroughly Claimant planted 4 acres to ash box elders & soft maple on or about May 1st 1881 I know the area by actual measurement and count

Ques. 10. Has the claimant ever had the trees, seeds, or cuttings on the tract embraced in his timber culture entry destroyed by grasshoppers or by extreme and unusual drouth? If so, state the year or years in which the destruction took place, and give all the facts within your personal knowledge.

Ans. NO

Ques. 11. How many acres of timber on the tract described has the claimant planted, cultivated, protected, and kept in a healthy growing condition for the period of eight (8) years, last preceding, and from what source is your knowledge upon this point obtained?

Ans. Claimant has planted cultivated & protected and kept in a healthy growing Condition 10½ acres of trees for Eight years last past

Ques. 12. Describe the condition of the trees now growing on said tract, give their average diameter and height, as nearly as you can, the kind or kinds of trees, the number of trees to the acre, and state how you know the facts to which you testify.

Ans. The trees are in a healthy condition The average height being 6 feet and average diameter is 1½ inches The kinds of trees are Cotton Wood Box elders willows ash and soft maple There are 898 trees growing on each and every acres I know these facts ~~from~~ by actual measurement & Count.

Ques. 13. Has the claimant, to your knowledge, ever made any other timber culture entry?

Ans. No

Ques. 14. Have you any interest direct or indirect in this claim?

Ans. No

Ques. 15. State any further facts which you may know of your own personal knowledge regarding the aforesaid timber culture entry.

Ans. The trees on this claim are in a good condition

Albert Bohl
(Signature of Witness.)

I hereby certify that the above-named Albert Bohl, personally appeared before me, and that he is a credible witness; that the foregoing testimony was read to him before being subscribed and was sworn to by him before me this 17 day of April, 1886

B M Lien
Judge & ex officio court
Brown Co Dak

NOTE.—The officer before whom the testimony is taken should call the attention of the witness to the following act of Congress, which is made by statute specifically applicable to all oaths, affirmations, and affidavits required or authorized under the timber-culture acts:

ACT OF MARCH 3, 1857, (11 Statutes, p. 250.)

"SEC. 5. *And be it further enacted,* That in all cases where any oath, affirmation, or affidavit shall be made or taken before any register or receiver, or either or both of them, of any local land office in the United States or any Territory thereof, or where any oath, affirmation, or affidavit shall be made or taken before any person authorized by the laws of any State or Territory of the United States to administer oaths or affirmations, or take affidavits, and such oaths, affirmations or affidavits are made, used, or filed in any of said local land offices, or in the General Land Office, as well in cases arising under any or either of the orders, regulations, or instructions concerning any of the public lands of the United States, issued by the Commissioner of the General Land Office or other proper officer of the government of the United States, as under the laws of the United States, in anywise relating to or affecting any right, claim, or title, or any contest therefor, to any of the public lands of the United States, and if any person or persons shall, taking such oath, affirmation, or affidavit, knowingly, willfully, or corruptly swear or affirm falsely, the same shall be deemed and taken to be perjury, and the person or persons guilty thereof shall, upon conviction, be liable to the punishment prescribed for that offense by the laws of the United States." (*See also Section* 5392, *U. S. Revised Statutes.*)

TIMBER CULTURE PROOF.

TESTIMONY OF WITNESS.

Land Office at

Watertown D T

Original application No. 2220

Final certificate No. 11

[9524—20 M.]

approved

M M Sheaf Register

D L Brumble Receiver

(4—385.)

TIMBER-CULTURE PROOF.

TESTIMONY OF CLAIMANT.

(Acts of March 3, 1873, March 13, 1874, and June 14, 1878.)

Philip Bishman, being called as a witness in his own behalf, in support of his timber-culture entry No. 2220, for South West Quarter section 2, township 111, of range 50 W 5th P meridian, in the district of lands subject to entry at Sioux Falls testifies as follows:

Ques. 1. What is your name, (written in full and correctly spelled,) your age, and post-office address?

Ans. Philip Bishman My age is 35 years old Waseca P O Minn

Ques. 2. Describe your timber-culture entry, giving the date thereof and the number of acres embraced therein.

Ans. Date of entry April 18 1878 being the SW + Sec 2 Twp 111 Range 50 Containing 160 acres

Ques. 3. What number of acres of said land was broken by you during the first year, what number broken during the second year, and what number broken during the third year, respectively, after the date of your entry? Give the day, month, and year, as nearly as practicable, in each instance, when the several breakings were done; describe the method of breaking, and in what way your measurements were made.

Ans. Broke Eight acres in the month of May 1878
Broke Four acres during the first days of July 1879
Did not break the Third year
This breaking was all 3½ inches deep measurment was made with a rod pole

Ques. 4. Describe the way in which the ground was prepared, and state how many acres of said tract were planted to trees during the *second* year of your entry, giving the day, month, and year, as nearly as practicable, when the planting was done, the kind or kinds of trees planted; and state how you know the area or number of acres so prepared and planted during said second year.

Ans. The ground was dragged thoroughly and then seeded to oats, did not plant any trees during 2nd year The number of acres prepared during this 2nd year was Eight acres I know the area by actual measurment with a rod pole

Ques. 5. Describe the way in which the ground was prepared, and state how many acres of said tract were planted to trees during the *third* year of your entry, giving the day, month, and year, as nearly as practicable, when the planting was done, the kind or kinds of trees planted; and state how you know the area or number of acres so planted during said *third* year.

Ans. I prepared ground by harrowing thoroughly before planting of trees planted Eight Acres to Cottonwood and Soft Maple during month of April 1880 the area by actual measurement with a rod pole

Ques. 6. Describe the way in which the ground was prepared, and state how many acres of said tract were planted to trees during the *fourth* year of your entry, giving the day, month, and year, as nearly as practicable, when the planting was done, the kind or kinds of trees planted; and state how you know the area or number of acres so planted during said *fourth* year.

Ans. A Crop having been raised on the second four acres in 1880 the ground was plowed back and harrowed thoroughly I then planted 4 acres to Ash and Box Elders and Maple on or about May 1st 1881 I know the area by actual measurement & count

Ques. 7. If you have received an extension of time for planting on account of the destruction of your trees, seeds, or cuttings, by grasshoppers, or by extreme and unusual drouth, state the year or years in which extension was had, and give all the particulars. How did you proceed to obtain such extension?

Ans. No

Ques. 8. How many acres of timber have you planted, cultivated, protected, and kept in a healthy growing condition for the period of eight (8) years, last preceding, on the tract embraced in your entry?

Ans. Claimant has kept in a healthy growing Condition Ten and one-half acres of trees for Eight years last past

Ques. 9. Describe the condition of the trees now growing on said tract, giving their average diameter and height, as near as you can, the kind or kinds of trees, the number of trees per acre now growing thereon, and state how you know the facts to which you testify.

Ans. The trees are in a good healthy Condition the average height being Six feet & average diameter is 1½ inch of Said Claim being planted to Box Elder Cotton wood willows Ash and Soft maple I know these facts by actual measurement and count There are 898 trees to the acre on each and every acre.

Ques. 10. Have you ever heretofore made any other timber-culture entry? If so, describe such entry or entries and state all the particulars.

Ans. No

Ques. 11. Is the section specified in your entry composed of prairie land, or was it devoid of timber at the date of your entry.

Ans. The section is wholly composed of Prairie Land

Ques. 12. State anything further within your personal knowledge which you have to offer regarding your aforesaid entry?

Ans. The Eleven acres of trees are in a splendid condition having been well cultivated

Philip Bishman
(*Signature of Claimant.*)

I hereby certify that each question and answer in the foregoing testimony was read to the claimant before he signed his name thereto, and that the same was subscribed and sworn to before me this 17 day of April, 1886

B. H. Lien
Judge of Clerk of Statutes
Brookings Co Dak

NOTE.—The officer before whom the testimony is taken should call the attention of the witness to the following act of Congress, which is made by statute specifically applicable to all oaths, affirmations, and affidavits required or authorized under the timber-culture acts:

ACT OF MARCH 3, 1857, (11 Statutes, p. 250.)

"SEC. 5. *And be it further enacted,* That in all cases where any oath, affirmation, or affidavit shall be made or taken before any register or receiver, or either or both of them, of any local land office in the United States or any Territory thereof, or where any oath, affirmation, or affidavit shall be made or taken before any person authorized by the laws of any State or Territory of the United States to administer oaths or affirmations, or take affidavits, and such oaths, affirmations or affidavits are made, used, or filed in any of said local land offices, or in the General Land Office, as well in cases arising under any or either of the orders, regulations, or instructions concerning any of the public lands of the United States, issued by the Commissioner of the General Land Office or other proper officer of the government of the United States, as under the laws of the United States, in anywise relating to or affecting any right, claim, or title, or any contest therefor, to any of the public lands of the United States, and any person or persons shall, taking such oath, affirmation, or affidavit, knowingly, willfully, or corruptly swear or affirm falsely, the same shall be deemed and taken to be perjury, and the person or persons guilty thereof shall, upon conviction, be liable to the punishment prescribed for that offense by the laws of the United States." (*See also Section* 5392, *U. S. Revised Statutes.*)

TIMBER-CULTURE PROOF.

TESTIMONY OF CLAIMANT.

Land Office at

Watertown D T

Original application No. 2220

Final certificate No. 11

[9523—20 M.]

Approved

W M Steele Register

D T Bramble Receiver